



Senate

General Assembly

File No. 539

February Session, 2010

Substitute Senate Bill No. 441

Senate, April 14, 2010

The Committee on Appropriations reported through SEN. HARP of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING PARENTAL ENGAGEMENT IN SCHOOLS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2010*) (a) Each local or regional
2 board of education may establish a parent teacher advisory council for
3 any school in the district. Such council shall make recommendations
4 for school improvement and provide advice on school policy decisions
5 in accordance with subsection (c) of this section.

6 (b) The parent teacher advisory council shall consist of seven voting
7 members who shall be parents or guardians of students attending the
8 school, five voting members who shall be certified teachers of the
9 school and one voting member who shall be a certified administrator
10 but not employed by the school. Such parent or guardian members
11 shall be elected by the parents or guardians of students attending the
12 school, such certified teacher members shall be elected by the certified
13 teachers of the school and the certified administrator member shall be
14 appointed by the local or regional board of education for the school. In
15 the case of a high school or middle school, the membership of the

16 council shall include two nonvoting student members elected by the
17 student body of the school, provided such student members are
18 enrolled in grades six through twelve.

19 (c) The parent teacher advisory council shall be responsible for: (1)
20 Reviewing the fiscal objectives of the draft budget for the school and
21 providing advice to the principal of the school before such school's
22 budget is submitted to the superintendent of schools for the district; (2)
23 providing advice to the principal of the school regarding revisions to
24 the school's annual plan prior to submission of such plan to the
25 superintendent of schools for the district; (3) participating in the hiring
26 process of the school principal or other administrators of the school by
27 conducting interviews of candidates and reporting on such interviews
28 to the superintendent of schools for the school district and the local or
29 regional board of education; and (4) providing advice on any other
30 major policy matters affecting the school to the principal of the school,
31 the superintendent of schools for the district and the local or regional
32 board of education.

33 (d) Except as provided in subdivision (3) of subsection (c) of this
34 section, the parent teacher advisory council shall not participate or
35 provide advice on any matters relating to personnel decisions,
36 including, but not limited to, the suspension or termination of school
37 personnel or disciplinary actions.

38 Sec. 2. Section 10-223e of the general statutes is repealed and the
39 following is substituted in lieu thereof (*Effective July 1, 2010*):

40 (a) In conformance with the No Child Left Behind Act, P.L. 107-110,
41 the Commissioner of Education shall prepare a state-wide education
42 accountability plan, consistent with federal law and regulation. Such
43 plan shall identify the schools and districts in need of improvement,
44 require the development and implementation of improvement plans
45 and utilize rewards and consequences.

46 (b) Public schools identified by the State Board of Education
47 pursuant to section 10-223b of the general statutes, revision of 1958,

48 revised to January 1, 2001, as schools in need of improvement shall: (1)
49 Continue to be identified as schools in need of improvement, and
50 continue to operate under school improvement plans developed
51 pursuant to said section 10-223b through June 30, 2004; (2) on or before
52 February 1, 2003, be evaluated by the local board of education and
53 determined to be making sufficient or insufficient progress; (3) if found
54 to be making insufficient progress by a local board of education, be
55 subject to a new remediation and organization plan developed by the
56 local board of education; (4) continue to be eligible for available federal
57 or state aid; (5) beginning in February, 2003, be monitored by the
58 Department of Education for adequate yearly progress, as defined in
59 the state accountability plan prepared in accordance with subsection
60 (a) of this section; and (6) be subject to rewards and consequences as
61 defined in said plan.

62 (c) (1) Any school or school district identified as in need of
63 improvement pursuant to subsection (a) of this section and requiring
64 corrective action pursuant to the requirements of the No Child Left
65 Behind Act, P.L. 107-110, shall be designated and listed as a low
66 achieving school or school district and shall be subject to intensified
67 supervision and direction by the State Board of Education.

68 (2) Notwithstanding any provision of this title or any regulation
69 adopted pursuant to said statutes, except as provided in subdivision
70 (3) of this subsection, in carrying out the provisions of subdivision (1)
71 of this subsection, the State Board of Education shall take any of the
72 following actions to improve student performance and remove the
73 school or district from the list of schools or districts designated and
74 listed as a low achieving school or district pursuant to said subdivision
75 (1), and to address other needs of the school or district: (A) Require an
76 operations audit to identify possible programmatic savings and an
77 instructional audit to identify any deficits in curriculum and
78 instruction or in the learning environment of the school or district; (B)
79 require the local or regional board of education for such school or
80 district to use state and federal funds for critical needs, as directed by
81 the State Board of Education; (C) provide incentives to attract highly

82 qualified teachers and principals; (D) direct the transfer and
83 assignment of teachers and principals; (E) require additional training
84 and technical assistance for parents and guardians of children
85 attending the school or a school in the district and for teachers,
86 principals, and central office staff members hired by the district; (F)
87 require the local or regional board of education for the school or
88 district to implement model curriculum, including, but not limited to,
89 recommended textbooks, materials and supplies approved by the
90 Department of Education; (G) identify schools for reconstitution, as
91 may be phased in by the commissioner, as state or local charter
92 schools, schools established pursuant to section 10-74g, or schools
93 based on other models for school improvement, or for management by
94 an entity other than the local or regional board of education for the
95 district in which the school is located; (H) direct the local or regional
96 board of education for the school or district to develop and implement
97 a plan addressing deficits in achievement and in the learning
98 environment as recommended in the instructional audit; (I) assign a
99 technical assistance team to the school or district to guide school or
100 district initiatives and report progress to the Commissioner of
101 Education; (J) establish instructional and learning environment
102 benchmarks for the school or district to meet as it progresses toward
103 removal from the list of low achieving schools or districts; (K) provide
104 funding to any proximate district to a district designated as a low
105 achieving school district so that students in a low achieving district
106 may attend public school in a neighboring district; (L) direct the
107 establishment of learning academies within schools that require
108 continuous monitoring of student performance by teacher groups; (M)
109 require local and regional boards of education to (i) undergo training
110 to improve their operational efficiency and effectiveness as leaders of
111 their districts' improvement plans, and (ii) submit an annual action
112 plan to the Commissioner of Education outlining how, when and in
113 what manner their effectiveness shall be monitored; or (N) any
114 combination of the actions described in this subdivision or similar,
115 closely related actions.

116 (3) If a directive of the State Board of Education pursuant to

117 subparagraph (C), (D), (E) or (L) of subdivision (2) of this subsection or
118 a directive to implement a plan pursuant to subparagraph (H) of said
119 subdivision affects working conditions, such directive shall be carried
120 out in accordance with the provisions of sections 10-153a to 10-153n,
121 inclusive.

122 (4) The Comptroller shall, pursuant to the provisions of section 10-
123 262i, withhold any grant funds that a town is otherwise required to
124 appropriate to a local or regional board of education due to low
125 academic achievement in the school district pursuant to section 10-
126 262h. Said funds shall be transferred to the Department of Education
127 and shall be expended by the department on behalf of the identified
128 school district. Said funds shall be used to implement the provisions of
129 subdivision (2) of this subsection and to offset such other local
130 education costs that the Commissioner of Education deems
131 appropriate to achieve school improvements. These funds shall be
132 awarded by the commissioner to the local or regional board of
133 education for such identified school district upon condition that said
134 funds shall be spent in accordance with the directives of the
135 commissioner.

136 (d) The State Board of Education shall monitor the progress of each
137 school or district designated as a low achieving school or district
138 pursuant to subdivision (1) of subsection (c) of this section and provide
139 notice to the local or regional board of education for each such school
140 or district of the school or district's progress toward meeting the
141 benchmarks established by the State Board of Education pursuant to
142 subsection (c) of this section. If a district fails to make acceptable
143 progress toward meeting such benchmarks established by the State
144 Board of Education and fails to make adequate yearly progress
145 pursuant to the requirements of the No Child Left Behind Act, P.L.
146 107-110, for two consecutive years while designated as a low achieving
147 school district, the State Board of Education, after consultation with the
148 Governor and chief elected official or officials of the district, may
149 request that the General Assembly enact legislation authorizing that
150 control of the district be reassigned to the State Board of Education or

151 other authorized entity.

152 (e) Any school district or elementary school after two successive
153 years of failing to make adequate yearly progress shall be designated
154 as a low achieving school district or school and shall be evaluated by
155 the Commissioner of Education. After such evaluation, the
156 commissioner may require that such school district or school provide
157 full-day kindergarten classes, summer school, extended school day,
158 weekend classes, tutorial assistance to its students or professional
159 development to its administrators, principals, teachers and
160 paraprofessional teacher aides if (1) on any subpart of the third grade
161 state-wide mastery examination, thirty per cent or more of the students
162 in any subgroup, as defined by the No Child Left Behind Act, P.L. 107-
163 110, do not achieve the level of proficiency or higher, or (2) the
164 commissioner determines that it would be in the best educational
165 interests of the school or the school district to have any of these
166 programs. In ordering any educational program authorized by this
167 subsection, the commissioner may limit the offering of the program to
168 the subgroup of students that have failed to achieve proficiency as
169 determined by this subsection, those in particular grades or those who
170 are otherwise at substantial risk of educational failure. The costs of
171 instituting the ordered educational programs shall be borne by the
172 identified low achieving school district or the school district in which
173 an identified low achieving school is located. The commissioner shall
174 not order an educational program that costs more to implement than
175 the total increase in the amount of the grant that a town receives
176 pursuant to section 10-262i in any fiscal year above the prior fiscal
177 year.

178 (f) The Commissioner of Education shall conduct a study, within the
179 limits of the capacity of the Department of Education to perform such
180 study, of academic achievement of individual students over time as
181 measured by performance on the state-wide mastery examination in
182 grades three to eight, inclusive. If this study evidences a pattern of
183 continuous and substantial growth in educational performance on said
184 examinations for individual students, then the commissioner may

185 determine that the school district or elementary school shall not be
186 subject to the requirements of subsection (e) of this section, but shall
187 still comply with the requirements of the No Child Left Behind Act,
188 P.L. 107-110, if applicable.

189 (g) (1) On and after July 1, 2010, the local or regional board of
190 education for a school that has been designated as a low achieving
191 school pursuant to subdivision (1) of subsection (c) of this section, shall
192 establish, subject to the provisions of subdivision (2) of this subsection,
193 a parent teacher advisory council, as described in section 1 of this act,
194 for each school so designated. Such council shall have the
195 responsibilities specified in section 1 of this act.

196 (2) If the Commissioner of Education determines that a school
197 established a council, prior to July 1, 2010, that is substantially
198 equivalent to the council described in this section, the school need not
199 establish a new council, provided the council established prior to said
200 date continues to operate and performs the functions described in this
201 section.

202 (h) On and after July 1, 2010, the local or regional board of education
203 for a school district that has been designated as a low achieving school
204 district pursuant to subdivision (1) of subsection (c) of this section,
205 shall establish a district-wide parent teacher advisory council for each
206 school district so designated. The district-wide parent teacher council
207 shall consist of one delegate from the parent teacher advisory council
208 for each school in the district. Such district-wide parent teacher
209 advisory council shall make recommendations for school district
210 improvement and advice on school district policy decisions in
211 accordance with this subsection. The district-wide parent teacher
212 advisory councils shall be responsible for: (1) Reviewing the fiscal
213 objectives of the draft budget for the school district and providing
214 advice to the superintendent of schools for the district before such
215 school district's budget is submitted to the local or regional board of
216 education for the district; (2) providing advice to the superintendent of
217 schools for the school district regarding revisions to the district's

218 annual plan prior to submission of such plan to the local or regional
 219 board of education; and (3) providing advice on any other major policy
 220 matters affecting the school district to the superintendent of schools for
 221 the district and the local or regional board of education. The district-
 222 wide parent teacher advisory council shall not participate or provide
 223 advice on any matters relating to personnel decisions at the schools in
 224 the district, including, but not limited to, the suspension or termination
 225 of school personnel or disciplinary actions.

This act shall take effect as follows and shall amend the following sections:

Section 1	July 1, 2010	New section
Sec. 2	July 1, 2010	10-223e

Statement of Legislative Commissioners:

In subsection (a) of section 1, the word "provide" was inserted before "advice" for accuracy. In subdivision (1) of subsection (g) of section 2 the "subject" clause was inserted after "establish" for clarity and accuracy and an "except" clause was deleted.

ED *Joint Favorable Subst. C/R*

APP

APP *Joint Favorable Subst.-LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 11 \$	FY 12 \$
Education, Dept.	GF - Cost	75,000	75,000
Comptroller Misc. Accounts (Fringe Benefits) ¹	GF - Cost	19,995	49,883

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 11 \$	FY 12 \$
Local and Regional School Districts	STATE MANDATE - Cost	less than 10,000 per school and 5,000 per district	less than 10,000 per school and 5,000 per district

Explanation

The bill requires school districts with low achieving schools to create parent-teacher advisory councils (PTACs) at the school and district level. The bill permits districts that are not on the low achieving list to create school councils if they choose.

There are currently 39 districts with schools in corrective action and 192 schools in corrective action. It is anticipated that creating school based PTACs, through elections, will cost less than \$5,000 per each election cycle and an additional \$5,000 in stipend payments, per year.

It is anticipated that operating district-wide PTACs will cost local and regional school districts less than \$5,000 per year.

¹ The estimated non-pension fringe benefit rate as a percentage of payroll is 26.66% which includes health insurance, social security, Medicare, life insurance, and unemployment compensation. Fringe benefit costs for new positions do not include pension costs as new positions will not impact the state's pension contribution until FY 12 after the next scheduled actuarial valuation.

Additionally, it is anticipated that the State Department of Education (SDE) would require an additional staff member, at an annual salary of approximately \$75,000, plus fringe benefits, to determine if the current council that a school or district has in place is equivalent to the council required under the bill. This provision would require SDE staff to evaluate the existing 192 schools to determine what is currently in existence and if it is comparable. Additionally, SDE staff would be required to monitor and provide technical assistance to PTACs to ensure that they continue to operate and perform the functions described in the bill.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sSB 441*****AN ACT CONCERNING PARENTAL ENGAGEMENT IN SCHOOLS.*****SUMMARY:**

This bill requires school districts with low-achieving schools to create parent-teacher advisory councils (PTACs) at the school and district level to advise principals and superintendents, respectively, on school and district budgets, annual plans, and any other major policy.

At the school level, the councils participate in the hiring process of the school principal or other administrators by conducting candidate interviews and reporting on them to the superintendent and the board of education. Except for conducting and reporting on interviews, the school level council is prohibited from participating in or providing advice on other personnel decisions, including the suspension or termination of personnel or other disciplinary actions.

The districtwide councils are also prohibited from participating in or providing advice on any personnel decisions, including the suspension or termination of personnel or other disciplinary actions.

The bill permits districts that are not on the low-achieving list to create school councils if they choose.

EFFECTIVE DATE: July 1, 2010

PARENT TEACHER ADVISORY COUNCILS – SCHOOL LEVEL***Membership***

The bill requires low-achieving districts to create 13-member PTACs at the school level. Middle and high schools will have two nonvoting student members for a total of 15 members. Table 1 below shows the members, by group, and how they are elected or selected.

Table 1: Parent Teacher Advisory Council Members

Member	Number	Selection Method
Parents or guardians of students attending the school	7	Elected by parents or guardians of the school's students
Certified teachers who work at the school	5	Elected by the certified teachers school's
Administrator who does not work at the school where he or she will serve on the council	1	Appointed by the local or regional board of education administrator
Students, non-voting members (only for councils at middle or high schools)	2	Elected by student body

Responsibilities

Under the bill, school-level councils are responsible for:

1. reviewing the fiscal objectives of the draft budget for the school and advising the principal before the school's budget is submitted to the district superintendent;
2. advising the principal regarding revisions to the annual plan before it is submitted to the superintendent;
3. interviewing principal and administrator candidates and reporting on them to the superintendent and the board of education; and
4. advising the principal, superintendent, and board of education on any other major policy matters affecting the school.

The bill specifies that conducting interviews for principal and administrator candidates is the only council involvement in personnel decisions. Councils are prohibited from participating in or providing advice on other personnel decisions, including staff suspension, termination, or other disciplinary issues.

PARENT TEACHER ADVISORY COUNCILS – DISTRICT LEVEL***Membership***

Low-achieving districts must also create a districtwide PTAC comprised of one delegate from each school-level council for in the district. The district councils must make recommendations for district improvement and provide advice on district policy.

Responsibilities

These councils have the same advisory duties as school councils have, just on a districtwide basis. But they do not participate in the hiring process of any superintendent or any other personnel.

Districtwide PTACs are responsible for:

1. reviewing the fiscal objectives of the school district's draft budget and advising the superintendent before the budget is submitted to the board of education;
2. advising the superintendent on revisions to the district's annual plan before submitting it to the board of education; and
3. advising the superintendent and the board on any other major policy matters affecting the district.

As with the school councils, district council are prohibited from involvement in any personnel matters such as staff suspension, termination, or other disciplinary issues.

EXISTING COUNCILS

If the education commissioner determines a PTAC that was established before July 1, 2010 is substantially equivalent to those described in the bill, the school need not establish a new council as long as the existing one continues to operate and performs the functions required in the bill.

COUNCILS IN DISTRICTS THAT ARE NOT LOW-ACHIEVING

The bill also permits districts that are not on the low-achieving list

to create school councils. These councils have the same membership and responsibilities as those required at the low-achieving schools.

BACKGROUND

Low-Achieving Schools/Districts

Under the state accountability law (CGS § 10-223e) and the federal No Child Left Behind Act (NCLB) (P.L. 107-110), the state must identify all schools and districts in need of improvement. If these schools also require corrective action under NCLB, they are designated as low-achieving and are subject to intensified supervision by the State Board of Education.

COMMITTEE ACTION

Education Committee

Joint Favorable Substitute Change of Reference
Yea 30 Nay 0 (03/24/2010)

Appropriations Committee

Joint Favorable
Yea 55 Nay 0 (04/01/2010)